REMARKS

This Amendment and Response to Non-Final Office Action is being submitted in response to the non-final Office Action mailed July 31, 2007. Claims 1-24 are pending in the Application.

Claims 16 and 22-24 stand objected to for informalities.

Claims 7-10 and 23 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-11, 17, and 19-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chen *et al.* (U.S. Patent Appl. Publ. No. 20040235453) in view of Patel *et al.* (U.S. Patent No. 6,865,185).

Claims 12-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chen *et al.* (U.S. Patent Appl. Publ. No. 20040235453) in view of Patel *et al.* (U.S. Patent No. 6,865,185) and further in view of Burton *et al.*(U.S. Patent Appl. Publ. No. 20040171347).

Claims 16 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chen *et al.* (U.S. Patent Appl. Publ. No. 20040235453) in view of Patel *et al.* (U.S. Patent No. 6,865,185) and further in view of Rajkumar *et al.*(U.S. Patent Appl. Publ. No. 20040264454).

Claims 14-15 stand objected to as being dependent upon a rejected base claim, but would be **allowable** if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response to these rejections, Claims 1, 7, 15-16, 18, and 22-24 have been amended and Claims 11-14 have been canceled to further clarify the subject matter which Applicant regards as the invention, without prejudice or disclaimer to continued examination on the merits. These amendments are fully supported in the Specification, Drawings, and Claims of the Application and no new matter has been added. Based upon

the amendments and the arguments presented herein, reconsideration of the Application is respectfully requested.

Claims 16 and 22-24 – Objection

Claims 16 and 22-24 stand objected to for informalities including misspellings and optional language in Claim 23. In response to this objection, Applicant has amended Claims 16, 18, and 22-24 to correct the misspelled words. Additionally, Applicant has amended Claim 23 to change "programmed or adapted to" to "configured to." Accordingly, Applicants respectfully submit that the objection has been traversed and request withdrawal.

Claims 7-10 and 23 – §112, second paragraph, Rejection

Claims 7-10 and 23 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response to this rejection Claim 7 has been amended to correct the antecedent basis. Claim 23 has been amended to change "the monitoring process" to the "monitoring processor" which corrects antecedent basis. Accordingly, Applicant respectfully submits that this rejection has been traversed and request withdrawal.

Claims 1-11, 17, and 19-24 - §103(a) Rejection – Chen *et al.*, Patel *et al.*

Claims 1-11, 17, and 19-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chen *et al.* (U.S. Patent Appl. Publ. No. 20040235453) in view of Patel *et al.* (U.S. Patent No. 6,865,185).

In response to this rejection, Applicant has amended independent Claims 1, 23, and 24 to include the allowable limitations of dependent Claims 11, 12, and 14.

Specifically, a limitation of deterministically selecting a wireless node for a given repetition is included in each of the independent claims.

Independent Claim 1 has been amended to recite:

> 1. A method of monitoring a wireless network, the method comprising the steps of:
>
> (a) receiving a data unit from a wireless node;
>
> (b) if a bandwidth constraint is satisfied, buffering the received data unit;
>
> (c) transmitting the received or buffered data unit to a monitoring processor***;***
>
> ***(d) repeating steps (a) through (c) for a plurality of wireless nodes;***
>
> ***(e) deterministically selecting the wireless node from the plurality of wireless nodes for a given repetition***.

Independent Claim 23 has been amended to recite:

> 23. A system of monitoring a wireless network, the system comprising:
>
> (a) a system data store (SDS) comprising capable of storing wireless data transmitted by a ***plurality of*** wireless node***s*** and configuration information at least comprising a bandwidth constraints;
>
> (b) a wireless receiver capable of receiving one or more data units from ***the plurality of wireless nodes***;
>
> (c) a communication interface allowing communication with a monitoring processor; and
>
> (d) a system processor in communication with the SDS, the wireless receiver and the communication interface, wherein the system processor comprises one or more processing elements ***configured*** to:
>
> (i) receive a data unit from the wireless receiver in response to receipt of the data unit by the wireless receiver from a wireless node ***of the plurality of wireless nodes***;
>
> (ii) buffer the received data unit in the SDS if a bandwidth constraint is satisfied;
>
> (iii) immediately transmit the received data unit to the monitoring ***processor*** via the communication interface if the bandwidth constraint is not satisfied;
>
> (iv) repeat steps (i) through (iii) for a plurality of received data units***, wherein the wireless node of the plurality of wireless nodes is deterministically selected for a given repetition;***
>
> (v) discard the received data unit if the bandwidth constraint is satisfied, if a local storage constraint has been satisfied and if the received data unit is redundant with a previously buffered data unit, comprises network control data, is associated with a device that has already been

observed more frequently than other devices or originates from a low threat wireless node;

(vi) aggregate the received data unit with a previously buffered data unit if the bandwidth constraint is satisfied and if the received data unit is compatible with the previously buffered data unit; and

(vii) transmit a selected buffered data unit to the to the monitoring ***processor*** via the communication interface at a point in time after receipt based upon the bandwidth constraint and bandwidth ***usage***.

Finally, independent Claim 24 has been amended to recite:

24. A system of monitoring a wireless network, the system comprising:

(a) receiving means for receiving a data unit from a wireless node;

(b) buffer means for ***deterministically*** accepting for buffering a received data unit from the receiving means if a bandwidth constraint is satisfied, aggregating the ***deterministically*** accepted data unit with a previously buffered data unit if the ***deterministically*** accepted data unit is compatible with the previously buffered data unit, discarding the ***deterministically*** accepted data unit if a storage constraint is satisfied and if the ***deterministically*** accepted data unit is redundant with a previously buffered data unit, comprises network control data, is associated with a device that has already been observed more frequently than other devices or originates from a low threat wireless node; and

(c) output means for immediately transmitting a received data unit to a monitoring processor if the bandwidth constraint is not satisfied and for transmitting a buffered data unit to the monitoring processor at a point in time after receipt based upon the bandwidth constraint and bandwidth ***usage***.

Accordingly, Applicants respectfully submit that this rejection has been traversed and request withdrawal.

Claims 12-13 - §103(a) Rejection – Chen *et al.*, Patel *et al.*, Burton *et al.*

Claims 12-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chen *et al.* (U.S. Patent Appl. Publ. No. 20040235453) in view of Patel *et al.* (U.S. Patent No. 6,865,185) and further in view of Burton *et al.*(U.S. Patent Appl. Publ. No. 20040171347). The limitations of Claims 12 and 13 have been incorporated into Claim 1, and Claims 12 and 13 have been canceled.

Claims 16 and 18 - §103(a) Rejection – Chen *et al.*, Patel *et al.*, Rajkumar *et al.*

Claims 16 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chen *et al.* (U.S. Patent Appl. Publ. No. 20040235453) in view of Patel *et al.* (U.S. Patent No. 6,865,185) and further in view of Rajkumar *et al.*(U.S. Patent Appl. Publ. No. 20040264454). Claims 16 and 18 are dependent claims ultimately depending from Claim 1, therefore the amendments presented herein apply with equal force here. Accordingly, Applicants respectfully submit that this rejection has been traversed and request withdrawal.

Claims 14-15 – Objection – Allowable but Dependent on Rejected Base Claim

Claims 14-15 stand objected to as being dependent upon a rejected base claim, but would be **allowable** if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As provided for herein, Applicants have incorporated all of the limitations of dependent Claims 11, 12, and 14 into independent Claim 1.

CONCLUSION

Applicants would like to thank Examiner for the attention and consideration accorded the present Application. Should Examiner determine that any further action is necessary to place the Application in condition for allowance, Examiner is encouraged to contact undersigned Counsel at the telephone number, facsimile number, address, or email address provided below. It is not believed that any fees for additional claims, extensions of time, or the like are required beyond those that may otherwise be indicated in the documents accompanying this paper. However, if such additional fees are required, Examiner is encouraged to notify undersigned Counsel at Examiner's earliest convenience.

Respectfully submitted,

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